

THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: Phyllis Liethem et al.

Serial No: 09/863,585

Filed: May 16, 2001

For: **ABSORBENT PRODUCTS AND METHODS OF PREPARATION
THEREOF**

Group Art Unit: 3761

Examiner : J. F. Stephens

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on August 18, 2004, with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop Appeal Brief - Patents; P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: Barbara De Vecchi

Barbara De Vecchi
William J. Spatz

**APPLICANT'S REQUEST FOR
REINSTATEMENT OF APPEAL**

Commissioner for Patents
MAIL STOP APPEAL BRIEF - PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby request reinstatement of the appeal. 37 C.F.R. § 1.193(b)(2); MPEP § 1208.02.

In appealing from the Final Office Action of June 16, 2003, Applicants have previously filed a Notice of Appeal on November 17, 2003 and Appellants' Brief on March 17, 2004. In response to Appellants' Brief, the Examiner has reopened prosecution via a June 25, 2004 Office

Action which asserted a new combination of references against Applicants' pending claim 104. This newly asserted combination was cited by the Examiner against claims 61 and 62 in Applicants' parent application, U.S.S.N. 09/334,125, which is also on appeal. Furthermore, Applicants' pending claim 104 is patentable over the newly asserted combination for the same reasons already given in the Appellants' Brief filed in the parent U.S.S.N. 09/334,125 case.

Therefore, to conserve the USPTO and the Board's resources, Applicants are exercising their option to request reinstatement of the appeal and concurrently submit herewith Supplemental Appellants' Brief to address the merit of the Examiner's newly asserted combination of references. 37 C.F.R. § 1.193(b)(2); MPEP § 1208.82

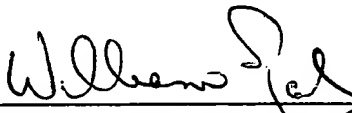
If fees are due in connection with this Request or the Supplemental Brief filed herewith, the Commissioner is authorized to charge the same to Deposit Account No. 50-0540.

Dated: August 18, 2004

Respectfully submitted,

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